Case 2:21-cv-00293-SAB ECF No. 21 filed 10/21/22 PageID.178 Page 1 of 2

FILED IN THE U.S. DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

Oct 21, 2022

SEAN F. McAVOY, CLERK

## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

BRENT YORK, a single person, Plaintiff,

v.

12 CITY OF SPOKANE VALLEY,

13 SPOKANE COUNTY SHERIFF OZZIE

14 KNEZOVICH, SPOKANE COUNTY

15 DEPUTY DEREK J. MCNAIL, and

16 SPOKANE COUNTY DEPUTY

17 RICHEY,

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Defendants.

No. 2:21-CV-00293-SAB

ORDER DISMISSING CITY OF SPOKANE VALLEY

Before the Court is the Parties' Stipulated Motion for Dismissal of All Claims Against Defendant City of Spokane Valley with Prejudice, ECF No. 20. 22 The Motion is considered without oral argument. Plaintiff is represented by 23 Douglas D. Phelps and Defendants are represented by Kristopher P. Morton and 24 Heather C Yakely.

The parties stipulate and request the Court dismiss Defendant City of 26 Spokane Valley with prejudice and without awarding either party attorney's fees or 27 costs. The parties further agree that the remaining defendants will not pursue the 28 City of Spokane Valley's potential comparative negligence as defense.

ORDER GRANTING STIPULATED MOTION FOR VOLUNTARY **DISMISSAL** # 1

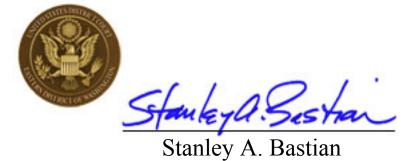
Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and the joint wishes of the parties, the Court finds good cause to grant the motion.

## Accordingly, IT IS HEREBY ORDERED:

- 1. Parties' Stipulated Motion for Dismissal of All Claims Against Defendant City of Spokane Valley with Prejudice, ECF No. 20, is **GRANTED**.
- 2. Defendant City of Spokane Valley is **DISMISSED with prejudice** and without attorney's fees or costs to any party.

**IT IS SO ORDERED**. The District Court Clerk is hereby directed to enter this Order and provide copies to counsel.

**DATED** this 21st day of October 2022.



Chief United States District Judge

ORDER GRANTING STIPULATED MOTION FOR VOLUNTARY DISMISSAL # 2